

CABINET

15 NOVEMBER 2022

UPPER UPNOR CONSERVATION AREA APPRAISAL – REQUEST TO ADOPT THE DOCUMENT

Portfolio Holder: Councillor Jane Chitty, Portfolio Holder for Planning, Economic Growth and Regulation

Report from: Richard Hicks, Director of Place and Deputy Chief Executive

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Summary

This report requests Cabinet approval for the adoption of the revised Upper Upnor Conservation Area Appraisal. The new Appraisal replaces an older version from 2004, which while still relevant, requires updating to reflect the recent changes in Upnor, such as the redevelopment of the former Lower Upnor Ordnance Depot. The revised document also provides an opportunity to introduce a new format for future Conservation Area Appraisals in Medway, which follows that of other authorities in Kent (and more widely) and is fully supported by Historic England. The draft appraisal has been subject to public consultation and revised where appropriate to take account of comments received.

1. **Budget and Policy Framework**
 - 1.1 The Medway Local Plan is the statutory development plan for the area and forms part of the Council's Policy Framework. Conservation Areas are included as part of the development plan. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the formulation, publication, and public consultation on proposals for the preservation and enhancement of Conservation Areas. From time to time, Conservation Areas must be also be reviewed as required by Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 - 1.2 The draft Conservation Area Appraisal complies with the Policy Framework. Approval for the adoption of the Conservation Area Appraisal is a matter for Cabinet. It has no budget implications. The Appraisal is produced to meet statutory requirements for the local planning authority for the preservation and enhancement of Conservation Areas.

2. Background

- 2.1 Conservation Area Appraisals help define the historic, architectural and townscape qualities that make a Conservation Area special. Their production helps the Council meet their legal duty under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the formulation, publication, and public consultation on proposals for the preservation and enhancement of Conservation Areas. From time to time Conservation Areas must also be reviewed as required by Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.2 Medway has 24 Conservation Areas, 6 of which currently have adopted Conservation Area Appraisals. The last Conservation Area Appraisal adopted in Medway was for the Historic Rochester Conservation Area in 2010.
- 2.3 Upper Upnor Conservation Area was chosen as the most appropriate Conservation Area for a new Appraisal at this time due to it having an existing but dated Appraisal (adopted in 2004), being particularly sensitive to change, and being subject to recent significant development at the Lower Upnor Ordnance Depot.
- 2.4 As part of its production, a Conservation Area Appraisal was subject to public consultation which is set out in section 6 of this report.

3. Options

- 3.1 The options available are:
 - A. Approve the request for adoption of the draft Upper Upnor Conservation Area Appraisal.
 - B. Reject the request for adoption of the appraisal.
 - C. Refine the request for adoption of the appraisal.
- 3.2 Following adoption, the revised Conservation Area Appraisal will support the continued conservation and enhancement of the historic environment through defining the historic, architectural and townscape qualities that make the Upper Upnor Conservation Area special. The Appraisal will also provide clear guidance as to how change is managed within the area and advise residents on how to maintain the character of their property.
- 3.3 If the request for adoption is rejected, either necessary revisions to the Upper Upnor Conservation Area Appraisal will be made for it to be adopted, or the existing adopted Upper Upnor Conservation Area Appraisal (2004) will remain in place.

4. Advice and analysis

- 4.1 The draft Upper Upnor Conservation Area Appraisal has been prepared by Conservation Officers within the Planning Service to ensure it meets the requirements of national planning policy and guidance. Historic England also provided some informal comments on the draft Appraisal.

4.2 Officers advise Cabinet to agree the adoption of the appraisal to support the continued conservation and enhancement of the historic environment.

5. Risk management

5.1 Risk management is set out below:

Risk	Description	Action to avoid or mitigate risk	Risk rating
Not adopting the revised appraisal.	The existing adopted Appraisal is dated and requires refreshing to reflect recent changes and help avoid inappropriate or harmful development.	Adoption of the revised appraisal that includes a new management plan, guidance, and an enhanced understanding of the Conservation Area.	E3

<i>Likelihood</i>	<i>Impact:</i>
A Very high B High C Significant D Low E Very low F Almost impossible	1 Catastrophic (Showstopper) 2 Critical 3 Marginal 4 Negligible

6. Consultation

6.1 The public consultation ran between 7th February 2022 and 18th March 2022 and included a presentation to the Rural Liaison Committee and to Frindsbury Extra Parish Council to meet the requirements of Section 71(2) and (3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.2 Electronic copies of the draft Appraisal were made available through the Council website, and paper copies made available for inspection at public buildings (such as local libraries) and to the Parish Council.

6.3 Internal and external consultees and stakeholders were contacted directly for any comments that they wished to make on the revised appraisal.

6.4 Statutory consultees (such as Historic England) were also consulted.

6.5 Five responses to the public consultation were received from members of the public, Frindsbury Extra Parish Council and internally. Most comments were supportive of the approaches presented in the appraisal, but some amendments were also suggested.

6.6 Where suggested amendments to the content of the appraisal could be accommodated, the content has been altered accordingly.

- 6.7 Some suggestions were beyond the scope of the appraisal and so could not be incorporated into the final content, including:
- Grant-funding for improvements
 - Improvement of the existing parking provision
 - Traffic management, public transport, pedestrian and cycling provision
 - Supporting the establishment of a local shop within the village
 - Green-blue infrastructure.
- 6.8 Other suggestions were made regarding additional assessments or guidance on specific elements which will be addressed by further topic-based guidance being published through the council website that is relevant to all Conservation Areas in Medway, including:
- Climate change and energy efficiency
 - The use of traditional materials
 - Open space and landscape.

7. Climate Change Implications

- 7.1 As a report requesting adoption of the Conservation Area Appraisal, there are no direct climate change implications.

8. Financial implications

- 8.1 There are no financial implications to the council.

9. Legal implications

- 9.1 The legal implications are set out within the body of the report.

10. Recommendations

- 10.1 The Cabinet is asked to agree the adoption of the revised Upper Upnor Conservation Area Appraisal (para 3.1 Option A) as set out in Appendix 1 to the report.

11. Suggested reasons for decision

- 11.1 The revised Upper Upnor Conservation Area Appraisal will support the continued conservation and enhancement of the historic environment through defining the historic, architectural and townscape qualities that make the Upper Upnor Conservation Area special.

Lead officer contact

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Appendices

Appendix 1 - Revised 'Upper Upnor Conservation Area Appraisal'

Background papers

None